

[Convenience translation of the interview with Matthias Wissmann, published in *Business & Law Berlin 2006*]

Interview

Matthias Wissmann – Politician and Lawyer

Law firms, which focus on providing legal advice to companies, are dependent upon reliable information from industry and politics. As a result, they are eager to work together with lawyers who can incorporate practical experience gained in public administration, politics and industry into the work of the law firm. Matthias Wissmann, former German Federal Minister for Transport, describes his route to the international law firm WilmerHale.

B&L: You are a lawyer, but had developed a great interest for politics at an early age. This manifested itself when you became the then youngest Member of the German Federal Parliament (*Bundestag*) ever at the young age of 27. How did you get involved in politics?

Wissmann: When I joined the *Junge Union Deutschlands* [the political youth organization of the Christian Democratic Party, CDU] at a young age, I had a deep personal conviction for [politics] and for the policies that we represented, and simply took great pleasure in becoming politically involved. I still feel the satisfaction that had first surfaced back then. My election into the Bundestag in 1976 as the then youngest Member of Parliament up until such time resulted in part from my position as Chairman of the *Junge Union Deutschlands*, which enabled me to actively represent the interests of the younger generation within the Bundestag. From a very early stage, however, I attached great importance to maintaining my independence from politics by means of a solid education and my work as a lawyer.

B&L: WilmerHale is a law firm that focuses on providing commercial law advice with strong political competence. When did you start working with the firm?

Wissmann: Lloyd Cutler (the highly respected founding power and counsel to various presidents), Bob Kimmitt and Dieter Lange approached me after I had left my post as Federal Minister for Transport. The driving factor behind my decision was not only that Wilmer Cutler & Pickering, as we were then called, was (even back then) regarded as one of the most prestigious law firms in the US. It was also the first international law firm that had already opened an office in Berlin (in 1993). For me, Berlin was the ideal place to resume my work as a lawyer in such an exciting environment.

B&L: Law firms now work more closely with politicians who act as providers of knowledge and contacts. Would you agree with such a statement?

Wissmann: It is certainly true that an ever-growing number of law firms are following the long tradition of [WilmerHale], and are complementing their legal know-how, which is at the core of our work, with practical experience gained in public administration and politics. If (as with WilmerHale) you provide advice at the intersection of law, politics and commerce, the client will come to expect more than just excellent legal advice. There also needs to be special feeling for political concerns, the internal processes at large public organizations or the effects of a legal dispute conducted in the public domain. External people are typically more accustomed to such “lateral thinking”.

B&L: What knowledge and strengths from your political career can you draw upon for your work at WilmerHale?

Wissmann: With regard to the work of a lawyer, the lateral thinking that I have just described is one of the most useful skills acquired from my political and ministerial experience. Another advantage is that it is easier for a lateral hire with such seniority to broach awkward issues with the client, e.g. with regard to the appropriate manner of presentation in public. There are enough US managers operating in Europe whose conduct is simply imprudent. A legendary example is the head of General Electric Jack Welch, who in the course of a proposed merger spoke before the European Commission and presented himself in a rather careless manner. At that point, the merger was as good as dead. But who would dare to instruct someone like Jack Welch beforehand as to what he should do or refrain from doing, and how he should present himself. Furthermore, if you have been at the head of a large organization, it is easier to gain a feeling for the situation of many clients.

B&L: In Germany, WilmerHale’s clients include Daimler-Chrysler, Deutsche Bank and Lufthansa. Using a practical example, can you provide an idea of the kind of support you provide with regard to regulatory issues and antitrust matters?

Wissmann: Our legal practice can only be successful working in such an environment if we also think politically/strategically at the same time. We must constantly give sufficient consideration to the challenges posed by legislation and the general public. An example of the work undertaken by our Public Policy team is our comprehensive advice regarding a collective return system for non-reusable drinks packaging. This “drinks deposit” project is not only new legal territory (ranging from the Packaging Regulation (*Verpackungsverordnung*) to European and antitrust issues); the topic is also highly politically charged. Similar issues also arise in the structuring of public-private partnerships (PPPs), transactions in regulated markets or large infrastructure projects; they can also be of general relevance in our public procurement and environmental law practice. We therefore describe our work as “legal advice in a political setting”, not least to distinguish ourselves from lobbyism as the mere representation of interests.

B&L: The constant rebirth and unparalleled dynamics of Berlin seem to fascinate you, yet it is a far cry from the southern [German] city of Ludwigsburg. Is it difficult to combine the

two cities (in which you undoubtedly feel at home) with each other, or do you perhaps feel a positive balance created by such contrasts?

Wissmann: I am, of course, deeply rooted in my hometown of Ludwigsburg, which you will gather, amongst other things, from my Swabian dialect. Nevertheless, I do now feel more at home in Berlin thanks to my mandate in the Bundestag and my work at WilmerHale. Every day, I sense the positive balance between the pulsating capital city in the north and my southern native land. Indeed, it is because of these contrasts that both towns complement each other ideally in terms of my needs.

B&L: What does the future hold for Matthias Wissmann?

Wissmann: We are at the beginning of a new parliamentary session upon which we have all built high expectations. My time is fully taken up by my work as a lawyer at WilmerHale and as Chairman of the Committee for European Union Affairs (*Ausschuss für die Angelegenheiten der Europäischen Union*) in the Bundestag. I am devoting all my energy into tackling this combined challenge.

We thank Mr. Matthias Wissmann for this interview.